

32104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 09 2004

Applicant : Mark Zeh et al

Serial No.: 10/825,915

Art Unit : To be Assigned

Filed : April 16, 2004

Examiner : To be Assigned

OFFICIAL

For : ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING
AND RELATED METHODS

Date : 8/9/2004

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R. § 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein. In accordance with 37 C.F.R. § 1.97 (b) (3), this Information Disclosure Statement is being submitted before the mailing of a first Office Action on the merits.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

CERTIFICATE OF TRANSMISSION VIA FACSIMILE

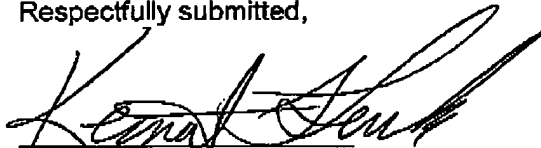
I hereby certify that this Information Disclosure Statement and the documents referred to as enclosed herein are being facsimile transmitted on this 8/9/2004 date, to fax # 703 872-9306 to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Christine Avendso

lds321048904

Please credit any overpayment or charge any additional fees to Deposit Account No.:
23-0458.

Respectfully submitted,



Kenneth G. Lemke
Attorney for the Applicant
Reg. No. 47,746


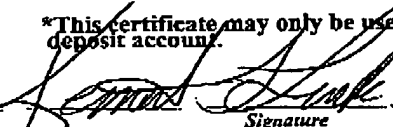
Date: 8/9/04

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Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 32104		SERIAL NO. 10/825,915		
INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				APPLICANT Mark Zeh et al				
				FILING DATE April 16, 2004		GROUP ART UNIT To be assigned		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
		WO 2004/043203					YES	NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
		http://www.internettoothbrush.com/page7.html - 8/9/2004						
EXAMINER					DATE CONSIDERED			
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.								

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 32104	
In Re Application Of: Mark Zeh et al						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/825,915	4/16/2004	To be assigned	29668	To be assigned		
Title: ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING AND RELATED METHODS						
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450						
37 CFR 1.97(b)						
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
37 CFR 1.97(c)						
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:						
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);						
OR						
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).						

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 32104	
In Re Application: Mark Zeh et al						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/825,915	4/16/2004	To be assigned	29668	To be assigned		
ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING RELATED METHODS						
Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))						
<input type="checkbox"/> A check in the amount of _____ is attached.						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 23-0458 as described below.						
<input type="checkbox"/> Charge the amount of _____						
<input checked="" type="checkbox"/> Credit any overpayment.						
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Certificate of Transmission by Facsimile*						
<p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703 872-9306)</p> <p style="text-align: center;"><u>8/9/2004</u> (Date)</p> <p style="text-align: center;"> Signature</p> <p style="text-align: center;">Christine Avenoso Typed or Printed Name of Person Signing Certificate</p>						
Certificate of Mailing by First Class Mail						
<p>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p> <p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Certificate</p>						
<p>*This certificate may only be used if paying by deposit account.</p> <p> Signature</p> <p>Kenneth G. Lemke Reg. No. 47,746 Warner-Lambert Company LLC 201 Tabor Road Morris Plains, NJ 07950 Phone 973 385-6243 Fax 973 385-3117 Customer Account No. 29668</p> <p>cc:</p>						
Dated: <u>8/9/04</u>						